

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

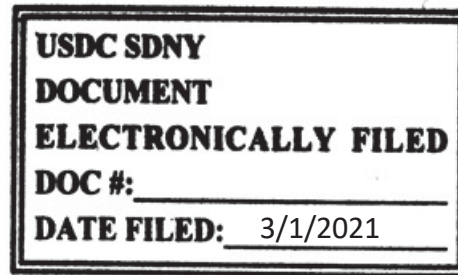
Jose Pareja, individually and on behalf of all
others similarly situated,

Plaintiff,

-against-

184 Food Corp. et al.,

Defendants.



1:18-cv-05887 (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Having received no response from Defendants 0113 Food Corp., Giovanni Marte, Gustavo Marte, and Jose Marte (hereinafter “Defendants”), it is hereby Ordered that the motion of Defendants’ counsel, Cesar A. Fernandez, to withdraw (ECF No. 249) is GRANTED.

The Court will give Defendants thirty days to secure new counsel. If Defendant 0113 Food Corp. has not appeared by counsel as of March 31, 2021, Plaintiffs shall, no later than April 7, 2021, seek a certificate of default. *See, e.g., McFarlane v. Harry’s Nurses Registry*, No. 17-CV-06350 (PKC) (PK), 2020 WL 1643781, at *15 (E.D.N.Y. Apr. 2, 2020) (corporate defendant’s failure to obtain counsel is failure to “otherwise defend” under Federal Rule of Civil Procedure 55(a)).

It is further Ordered that the parties are directed to appear for a telephone conference to discuss the status of this action on Tuesday, April 13, 2021 at 11:00 a.m. At the scheduled time, the parties shall each separately call (888) 278-0296 (or (214) 765-0479) and enter access code 6489745.

The individual defendants, Giovanni Marte, Gustavo Marte, and Jose Marte are reminded that, even if they do not secure new counsel, they are required to comply with all Court orders

and deadlines and must appear for the telephone conference on April 13, 2021. Failure to do so may result in the imposition of sanctions, up to and including entry of a default judgment against them.

Defendants' withdrawing counsel, Cesar A. Fernandez, shall serve a copy of this Order on Defendants and file proof of service on the docket.

SO ORDERED.

DATED: New York, New York
March 1, 2021

A handwritten signature in black ink, reading "Stewart D. Aaron", is written over a horizontal line.

STEWART D. AARON
United States Magistrate Judge